

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JACOB SMITH,

Plaintiff,

v.

**Civil Action 2:20-cv-3755
Judge Edmund A. Sargus, Jr.
Magistrate Judge Jolson**

FIRSTENERGY CORP., et al.,

Defendants.

ORDER

This matter is before the Court on Plaintiffs’ Motion to File Document Under Seal (Doc. 155). The motion is unopposed. (*See* Doc. 156). Plaintiffs ask the Court for leave to file three categories of documents under seal: (1) a supplemental document to the settlement agreement with Defendant Energy Harbor as it “deals with ongoing criminal investigation[;]” (2) detailed time reports for Plaintiffs’ counsel to protect attorney work product; and (3) a complete, unredacted list of class members requesting exclusion, to prevent disclosure of those individuals’ addresses. (Doc. 155).

To warrant sealing, Plaintiffs must demonstrate “(1) a compelling interest in sealing the records; (2) that the interest in sealing outweighs the public’s interest in accessing the records; and (3) that the request is narrowly tailored.” *Kondash v. Kia Motors Am., Inc.*, 767 F. App’x 635, 637 (6th Cir. 2019) (citing *Shane Grp., Inc. v. Blue Cross Blue Shield*, 825 F.3d 299, 305 (6th Cir. 2016)). Each of Plaintiffs’ interests in sealing (protecting information in an ongoing criminal investigation, attorney work product, and the addresses of class members requesting exclusion) is compelling. And for each category of documents, the public’s interest in access does not outweigh the interest in sealing. This is particularly so because Plaintiffs have narrowly tailored their request

to withhold as little substantive information as is practicable. For instance, in addition to the sealed materials, they intend to fill a list of class members requesting exclusion with only the sensitive personal information, like addresses, redacted. (Doc. 155). And they intend to file summaries of time spent by each legal professional to supplement the sealed detailed time reports. (*Id.*). Accordingly, the unopposed Motion (Doc. 155) is **GRANTED**.

IT IS SO ORDERED.

Date: October 20, 2022

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE